

2013

Planning & Environmental Services Dept. Business Plan



Development Planning



Food Inspection

**Texas
Food
Establishment
Rules**

Residential Rental Registration

CDBG



Code Enforcement



City of Sugar Land

PLANNING & ENVIRONMENTAL SERVICES DEPARTMENT BUSINESS PLAN

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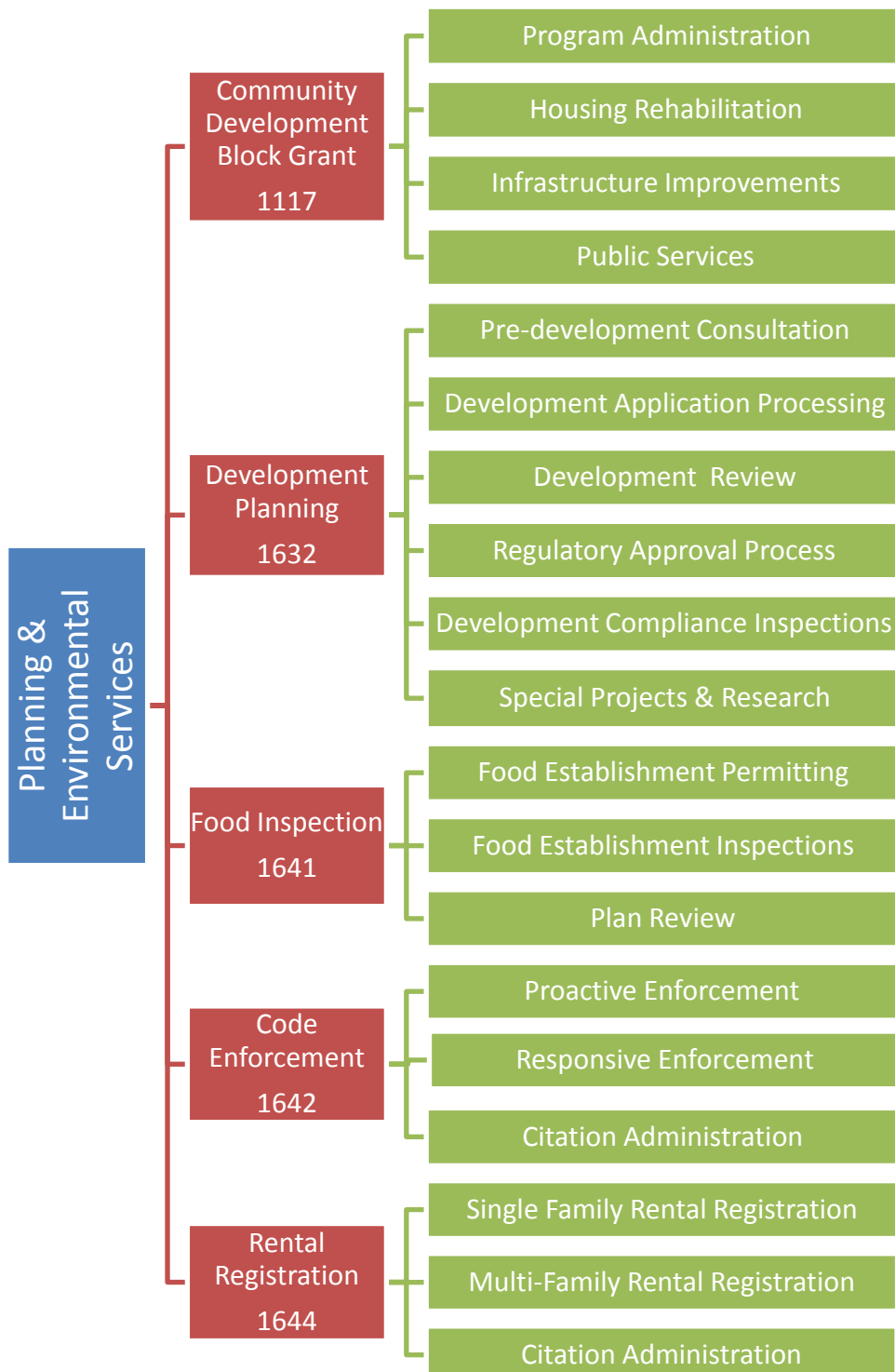
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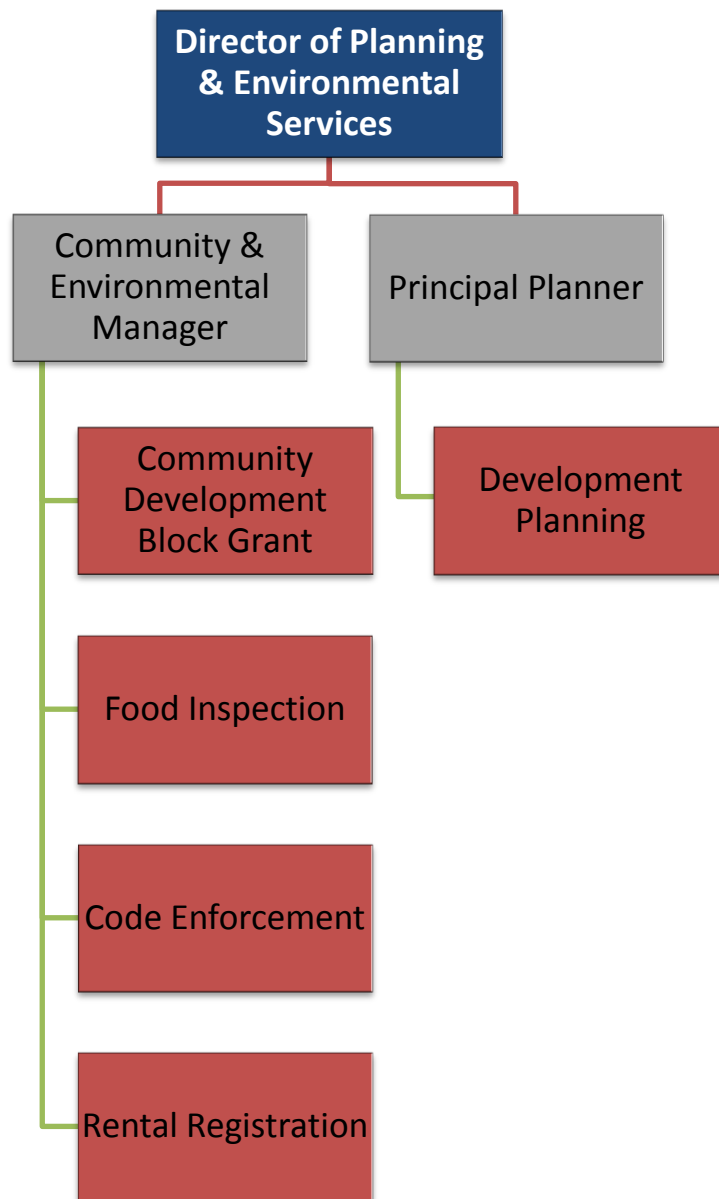
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PLANNING & ENVIRONMENTAL SERVICES DEPARTMENT

2013 BUSINESS PLAN

ORGANIZATIONAL & FUNCTIONAL STRUCTURE





2013 PROGRAM OF SERVICES (1117, 1632, 1641, 1642, 1644)

COMMUNITY DEVELOPMENT BLOCK GRANT - 1117

PROGRAM SUMMARY

The objective of the Community Development Block Grant (CDBG) program is to develop viable urban communities by providing decent housing, a suitable living environment, and expanding economic opportunities principally for low and moderate income persons. The City of Sugar Land began receiving CDBG funds from the U.S. Department of Housing and Urban Development in 2001 and has received these program allocations each subsequent year. The projects funded through the CDBG program benefit low and moderate income residents and focus on infrastructure improvements, public services, and housing projects throughout the community. This program and the services associated with the program directly reflect the City's goal of a Well Planned Community.

The City's CDBG funding allocation may vary each program year depending upon the Federal budget and the national funding priorities. Subsequently, the available resources associated with the allocation may increase or decrease on an annual basis. The City's funding allocation for the current program year (October 2012 through September 2013) is \$309,200 and is part of the budget adopted by City Council on September 18, 2012. While the services provided through the CDBG program may remain constant, the service levels are solely dependent upon the City's annual allocation and what level of services can be provided with those resources. Each program year, the City drafts an Annual Action Plan which details the projected service levels for the year, and the City annually strives to meet and exceed these service level objectives.

The CDBG program operates Monday through Friday from 8 a.m. to 5 p.m. and is staffed currently with one (1) full-time employee, the Community & Environmental Manager, who serves as program manager for the CDBG program and three (3) additional programs with equal responsibility. While this position manages the City's CDBG program, CDBG funds are not utilized for staffing; rather, the staffing is budgeted through the Community & Environmental Services administrative budget (1640).

SERVICES AND SERVICE LEVELS

Service: Program Administration

Program administration encompasses the tasks associated with the annual planning, monitoring and reporting for the CDBG program and the associated activities. These tasks are undertaken by the Community & Environmental Manager and contracted consultants; however, while the City utilizes the expertise of a contracted consultant, the City is ultimately responsible for the implementation of the CDBG program and must perform city-specific tasks and monitor the work completed by the consultant.

Activity: Planning

The planning process is a comprehensive process implemented by the Community & Environmental Manager and the contracted consultant which includes a series of activities focused on preparations for the upcoming program year (PY). These activities include documentation development, citizen participation, requests for proposals, and contract development.

A CDBG program year extends from October 1 to September 30 each year, and the planning process begins six to eight months prior to the start of the program year, depending upon the documentation development requirements for the upcoming year. A Consolidated Plan is drafted and submitted to the U.S. Department of Housing and Urban Development (HUD) every five years as a planning tool for the development and implementation of the program. The current Consolidated Plan was approved in 2009 and will expire in 2014. In addition, an Annual Action Plan is drafted and submitted to HUD each year in order to detail the distribution of CDBG funds and the programs that will be implemented during the upcoming program year. Any project outlined to be undertaken within the Annual Action Plan must be classified as either a high or medium priority within the Consolidated Plan.

Activity: Monitoring

The monitoring process is an ongoing process of planning, implementation, communication and follow-up. Through the monitoring process, the Community & Environmental Manager and the contracted consultant work with subrecipient agencies to ensure proper program performance, financial performance, and regulatory compliance in accordance with HUD regulations and to provide the subrecipient agencies with technical assistance regarding CDBG program implementation. In accordance with HUD regulations, all subrecipient agencies are monitored at least annually, and desk reviews of subrecipient reimbursement documentation are ongoing throughout the program year.

Activity: Reporting

A series of reports and program documentation must be drafted and submitted to HUD in compliance with CDBG program requirements. These reports are drafted by the Community & Environmental Manager and contracted consultant and include but are not limited to the Fair Housing Plan and Analysis of Impediments, the Environmental Review, the Semi-Annual Labor Standards Enforcement Report, the Section 3 Report, the Minority Business Report and the Consolidated Annual Performance & Evaluation Report (CAPER). While the reporting timelines and documentation requirements may vary for each report, they must all be submitted in accordance with CDBG regulations.

Service: Housing Rehabilitation

Through the planning process, the City identifies activities to be conducted during the program year, and historically, the City has annually utilized approximately 25 percent of the CDBG funds for minor housing rehabilitation services on low- to moderate-income single-family owner-occupied homes within the City of Sugar Land. These services are provided by a subrecipient agency which is annually selected based on

a City Council-approved application process. The annual allocation and associated proposed service level may vary from year to year and are dependent upon the City's annual funding allocation.

Service: Infrastructure Improvements

Historically, the City has determined that the most effective method for utilizing infrastructure funds and ensuring that CDBG Target Areas are stabilized is to concentrate funding on one Target Area at a time, completing all needed public facility and infrastructure enhancements before moving on to other infrastructure improvement projects. However, the City's infrastructure needs are annually identified and included within the five-year Capital Improvements Program (CIP). Infrastructure improvements constitute the largest percentage of the City's CDBG funding allocation at approximately 40 percent. These projects are performed by contracted agencies and are managed by the Engineering Department. Depending upon the type of project undertaken, the Community & Environmental Manager and contracted consultant may also be required to perform additional labor standard & wage determination requirements.

Service: Public Services

In accordance with CDBG program requirements, the City can annually allocate up to 15 percent of its CDBG funding allocation for public services within the community. During the development of the Annual Action Plan, non-profit public service agencies that provide eligible services to Sugar Land residents undergo a City Council-approved application process to determine which subrecipient agencies will be funded during the program year.

SERVICE LEVEL EXPECTATIONS

Program: Community Development Block Grant (CDBG)	
Service (Activity)	Service Level Expectation
Program Administration	Service Levels as Defined by Activities Below:
Planning	Annual Action Plan drafted and submitted to HUD by August 15th
	Consolidated Plan drafted and submitted to HUD by August 15th every five years
	Two (2) public hearings held annually during the planning process
Monitoring	Subrecipient agencies monitored at least once a year
Reporting	Required reports drafted and submitted to HUD by designated deadline
Housing Rehabilitation	Annual selection process completed during April to June for inclusion within Annual Action Plan
Infrastructure Improvements	Identification of infrastructure project within annual CIP development process
Public Services	Annual selection process completed during April to June for inclusion within Annual Action Plan

PROGRAM SUMMARY

The Development Planning Program is responsible for administering development review for applications such as subdivision plats, site plans, general plans, rezoning and conditional use permit cases, variances, special exceptions, and appeals. The dominant guide for the Program is the City of Sugar Land Development Code. There are six main services that the program carries out:

- Development Consultation
- Development Application Processing
- Development Review
- Regulatory Development Approval Process
- Development Compliance Inspections
- Special Projects & Research

The key standards and requirements are administrated from the City of Sugar Land Development Code and other associated ordinances. Staff is tasked with the processing and coordination of development applications (to Planners and other reviewing departments), and the subsequent review of those proposals. Certain processes are able to be administratively approved (certifying compliance) such as Minor and Amending Plats, Site Plans, and building and sign permits. In cases of standard plats, rezoning, conditional use permits, general plans, variances, and special exceptions, the staff provides a review and ultimately, a professional recommendation to the Planning & Zoning Commission, Zoning Board of Adjustment, and the City Council for approval. A significant amount of workload includes administering the zoning portion of the Development Code. The staff is also involved in certain City Strategic Projects, Committees, and specialized development research.

The Development Planning program operates Monday through Friday from 8:00 a.m. to 5 p.m. and is staffed currently supervised by the Principal Planner (1), with a Planner I (1), Planner II (1) and two *Development Review Coordinator* positions (2). This current structure is the result of the 2011 reorganization that removed the staff that primarily served the Long Range Planning program. Due to workload increases of Planned Development (PD) zoning case (review and administration) a program employee of *Planner I* was authorized and added to the workforce for Development Planning. This position is structured in the form of a two-year maximum position similar to *Management Assistant II*. The Development Planning program is interested in having the position permanently added in the future depending on budget available, because the workload is anticipated to continue well beyond FY 14.

Note 1- Addition of the Planner I for FY 13 and FY 14 should allow staff to meet service levels for zoning cases by spreading out personnel resources. This area has been understaffed since the reorganization of 2011 and resources have had to be utilized from the Transportation and Long Range Planning Department in order to meet service levels. An examination of the increase in PD Zoning and Conditional Use Permits cases is important as it relates to personnel resources for Development Planning in FY 13 and beyond. There is an anticipated increase in submittals for FY 13 – FY 14 due to

imminent Final Development plan applications for the Imperial Tract 3 property, as well as 1st Step PD work in Telfair's Tract 5 acreage. However, staff believes that it is important to plan for the Planner I position to be permanent for FY 15 and beyond due to workload. This will be further examined in the FY 14 Business Plan.

Note 2- An additional element anticipated for FY 13 and 14 is a detailed examination of the Development Code for potential updates. Staff anticipates working closely with the Transportation & Long Range Planning Department, as well as Engineering, in making sure that the Code reflects key Master Plans as those documents are updated. An important note for the current Land Use Matrix in the City's Development Code is that although it was adopted in 1997, the use classifications utilize the US Government's SIC Code classification manual of 1987 (25 years ago). It is appropriate to examine potential adoption of a modernized classification such as the North American Industrial Classification System (NAICS) last revised in 2003. There is an indication that a new NAICS manual will be forthcoming by 2013. Examining the Development Code for applicability and modernization is also in alignment with goals of the adopted City of Sugar Land Economic Development Plan (Resolution 11- 16), and the Comprehensive Plan (2012). We anticipate integrating the Planner I, Planner II, and Principal Planner into a work team to tackle key Development Code updates that the Department has been identifying.

SERVICES AND SERVICE LEVELS

Service: Pre-development Consultation

As a part of most development applications, staff recommends that applicants hold a pre-development meeting / consultation prior to submitting applications and plans. This is particularly important for the development of vacant property, and properties that have utility, drainage, or access issues. Development Planning staff coordinate with key City staff that are part of the development review process, in order to provide meaningful pre-development consultations with potential applicants. In addition to the coordination / facilitation role, the staff also examines the proposals for any Development Code / ordinance issues to provide feedback prior to submittals. In the average week, there are approximately four to six pre-development consultations. Roughly half of these involve the development review group known as the Development Review Committee (DRC).

Service: Development Application Processing

Through this service, the Department ensures that all development applications are processed and checked for completeness and accuracy of the filing information. This service also includes preparing routing packages of the applications for the specific reviewers and reviewing departments. These departments include staff from Planning & Environmental Services, Engineering, Public Works, Utilities, Fire, Permits & Inspections, and in some cases, Parks & Recreation. The Development Review Coordinators provide this service, and also assist with follow up communications (emails, phone, letters) as needed for applicants. Coordination of development application review facilitates the process to the

benefit of the City (gaining quality development) and of the individual applicants (reliable turn-around times; reduced instances of “surprises”).

Service: Development Review (Review and Comments on Applications)

The Development Planning Program staff reviews applications for compliance with the Development Code and other ordinances (ex. Conditional Use Permits, Planned Development PD Districts). In some cases, properties are also subject to Development Agreements with special provisions. The work is routed out from the Development Review Coordinators, and reviews follow specific timelines for turn-around comments to the applicants. The staffnotes where there are code or other regulatory issues, or instances where clarification is needed. If there are items to correct or clarify, staff issues a comment letter to the applicants to ensure that the submittals are updated. An important factor in the Development Review Service is the Development Review Committee (DRC), and the weekly meetings to go over projects. The reviewing departments meet weekly as a group as the DRC, co-chaired by Development Planning and Engineering. Development Cases include:

General Land Plans

Minor/Amending Plat review (administrative plats)

Preliminary, Final, and Short Form Final plats (P&Z plats)

Infrastructure Construction Plans

Commercial/multi-family/townhome Site Plan packages

Rezoning Cases (standard zoning districts), Planned Development (custom zoning districts)

Conditional Use Permits (CUP's)

Variances (Zoning and Subdivision Regulations)

The standard development review period for administrative items such as site plan packages and minor and amending plats is within two weeks if the submittals are complete, and made within the deadlines. Non-administrative plats must follow specific requirements for processing based on state law, and comments are sent back to applicants to correct missing information or errors within a three week timeframe. General Plans and zoning applications follow a longer review time based on the complexity, as well as potential accompanying studies such as Traffic Impact Analysis (TIA) or other research. The review is typically three to four weeks, prior to a comment letter being sent out.

Example: Site Plan Package (new commercial site) all-complete by submittal deadline

- DRC “Initial Review” during 1st Week (overview of project, identification of key issues)
- DRC “Comments Due” during 2nd Week (applicants invited for meeting unless minor issues)
- Comment Letter sent out by end of 2nd Week regardless of major or minor issues found

In order to make sure that there is good communication with the applicants on major issues, comment meetings are held with the applicants prior to sending out any comment letters, unless the comments were minor. The next Service Section- Regulatory Development Approval Process, addresses the two separate critical paths for approvals.

Service: Regulatory Development Approval Process

This service involves one of two critical paths for applications. City staff has the ability to administratively certify compliance with applicable codes and ordinances through Administrative Approval in some cases. Examples are single-family residential plans, commercial site plan packages, and Minor Plats. In other cases, staff is the case representative for the application through the process with decision-makers such as the Planning & Zoning Commission, City Council, or Zoning Board of Adjustment, with public hearings as required. All of these require a report from staff, with most cases resulting in a professional recommendation from the Planner. The following chart indicates key development application types and the level of approval:

PR= Professional Recommendation, R= Commission Recommendation, A/D = Approval/Denial

Development Application Type Processed & Reviewed	Staff	ZBA	P&Z Commission	City Council
General Plans	PR		R	A/D
Preliminary & Final Plats	PR		A/D	
Minor & Amending Plats	A/D			
Public Infrastructure Plans	A/D			
Rezoning Cases	PR		R	A/D
Conditional Use Permits (CUP)	PR		R	A/D
Development Code Amendments	PR		R	A/D
Zoning Variances	Report only	A/D		
Zoning Special Exceptions	PR	A/D		
Appeals	Report only	A/D		
Subdivision Regulations Variances	PR		R	A/D
Commercial Site Plan Packages	A/D			
Sign Permit Applications	A/D			
Single Family Permit Applications	A/D			
Zoning Verifications & Change of Ownership or Use Applications	A/D			

Activity: Compliance Certification (Approval or Disapproval)

Once all items are addressed, the Development Planning staff certifies the applications meet Codes, and administratively approve the applications. This may be a Department approval, in conjunction with other departments such as Permits & Inspections, Engineering, or Fire. In some cases such as zoning research or zoning verification, the Development Planning staff represents the key reviewers.

These cases where the City can administratively approve applications without external Boards, Commissions, or City Council include:

Minor/amending plat review

Commercial/multi-family/townhome site plan review

Single family site plan review

Commercial sign review

Miscellaneous (zoning verifications, change of use and ownership applications)

Infrastructure Construction Plans

(Note- Engineering is the primary staff for Infrastructure Plans. Development Planning has role through processing the documents, and overview with interrelated plats)

Activity: Case Liaison for Applications (ZBA, P&Z Commission, and City Council)

In the case of Preliminary, Final, and Short Form Final Plats, the documents are brought forward to the Planning & Zoning Commission for a final approval. Under the City of Sugar Land Charter and Ordinances, the Planning & Zoning Commission is the final authority on all plats, other than administrative platting. The Commission meets twice monthly, with the exception of holiday months of November and December, where one meeting is held per month.

The Commission functions as a recommending body to the City Council for rezoning, Conditional Use Permits (CUP's), General Plans, subdivision variances, and Development Code amendments. Once the Commission has held any required hearings, and rendered a recommendation, these items are sent to the City Council for a final determination. (While the Commission also serves as a recommending body for the Comprehensive Plan, Master Plans, and the Capital Improvement Program, those items are now brought forward by the Transportation & Long-Range Planning Department or Engineering Department.)

In cases of zoning variances to bulk restrictions, Special Exceptions for pre-annexation residential setbacks, or cases where an appeal is filed against an administrative official applying zoning regulations, cases are brought forward by staff to the Zoning Board of Adjustment & Appeals for a final decision. The Zoning Board of Adjustment has a scheduled meeting once a month, that is cancelled when there are no cases.

All of these cases require detailed staff reports with technical information and presentations, and all (except zoning variances or appeals) require a professional recommendation from the Development Planning staff for the decision-makers.

Public Hearings are required for zoning cases, and certain types of replats (residential). The Development Planning Program ensures that all public legal notice documents are prepared, including creation of a vicinity map, explanation, legal descriptions, and address checks per statutory and code requirements. These are routed to the City Secretary's Office for processing to the appropriate media, mail-outs, and to the website. In addition, the staff places a public hearing notification sign at the specific property triggering the public hearing. The following development cases require public hearings:

- Residential Replats
- Rezoning cases
- Conditional Use Permits
- Development Code Amendments (no sign)
- Zoning Variances
- Special Exceptions
- Appeals (no sign)

Service: Development Compliance Inspections

The Planning & Environmental Services Department is involved in ensuring that newly constructed sites meet key Development Code and other ordinance provisions, prior to the issuance of a Certificate of Occupancy (C of O) by the City of Sugar Land Permits & Inspections Department. In order to assess compliance, Development Planning staff conduct site visits to each development for a field inspection. This is done within three working days of notification from the Permits & Inspections Department or applicant. The most common of these involve commercial sites with ground-up commercial construction, where items such as parking lots, landscape buffering, building finishes, site lighting, sidewalks, and overall bulk regulations are checked against approved site plan drawings. In some cases where properties are either zoned Planned Development (PD) or have received a Conditional Use Permit (CUP), there may be special provisions contained in the Council-approved ordinances such as additional landscaping, building materials, or other site features. All of these must be reviewed and verified for compliance. As the number of specially zoned areas for PD's and CUP's increase, additional resources are needed to ensure service levels are adequately maintained. In addition, long-term inspection for zoning compliance at these areas will be needed, and go beyond standard Code Enforcement items. As a reference, the City of Sugar Land currently has 14 Planned Development (PD) Zoning Districts (Final Development Plans) adopted by City Council Ordinances as of October of 2012.

Service: Special Projects & Research

There are a number of projects during each year that staff from the Development Planning Program is involved with. These may take the form of Strategic Projects (leaders or participants), or other special projects and research as determined through the Director or the Assistant City Manager over the Planning & Environmental Services Department. During FY 12, staff led the City through an annexation process culminating in bringing 1,023.3 acres into the corporate limits. Also, key work on an update to

the City of Sugar Land's official Future Land Use Map involving studies for the area south of the Brazos River (Thoroughfare and Land Use) was adopted. There are other key projects where Development Planning staff is participating such as the Comprehensive Plan Update, the Pedestrian & Bicycle Plan Update, and the Thoroughfare Plan Update for the City, Support for HGAC's Sustainable Planning Initiatives, Street Closures Policy, and Community Signage Initiative.

SERVICE LEVEL EXPECTATIONS

Program: Development Planning	
Service (Activity)	Service Level Expectation
Pre-development Consultations	Staff response within 1 business day, Meeting time available each Thursday with DRC on scheduling basis (1st come, 1st serve) Expectation can be not longer than two weeks for meeting.
Development Application Processing	Checked for completeness and notified if incomplete within 48 hours.
Development Review	Specific to type of case: Site Plans and Admin. Plats comments within two weeks. Standard Plats comments within three weeks. Gen. Plans and rezoning cases will have comments within four weeks, depending on case complexity /studies (ex. TIA). Applicant invited to Dev. Review Committee (DRC) meeting prior to letter being sent to go over comments, unless very minor.
Regulatory Development Approval Process	Service Expectation Levels as Defined by Activities Below:
<i>Compliance Certification</i>	Turn-around post-resubmittal is within 5 business days.
<i>Case Liaison for Applications (ZBA, P&Z, CC)</i>	Process includes following statutory requirements as applicable. (ex. Plat 30 day clock requires action for approval or denial following authorizing plat filed "cleared" from staff), Public Hearings involved in zoning, include notice to the paper 15 days prior to meeting. Rezoning timelines based on 1st meeting with P&Z, best case is approval within approximately five months of submittal.
Development Compliance Inspections	Inspections within three days of notification, with minor exceptions of five days.
Special Projects & Research	Projects and research completed within timeframes as assigned or directed, with exception of ACM or CM re-direction

PROGRAM SUMMARY

The Food Inspection Program is responsible for the permitting and inspection of temporary, mobile and permanent food establishments across the City in order to ensure they are safe, sanitary and in compliance with applicable codes and regulations. This program operates to ensure that the City of Sugar Land is the safest city in the area by working with food establishments and individuals throughout the community to build partnerships focused on providing safe and sanitary food options to the residents and visitors of Sugar Land.

Following re-evaluation through the FY 12 Business Plan, the program now consists of three (3) full-time positions, two Sanitarians, with supervision by the Senior Sanitarian, and operates Monday through Friday from 8 a.m. to 5 p.m. with some temporary event inspections occurring outside these normal hours of operation. Designated staff is also on-call should an emergency arise, by being in cell phone contact.

SERVICES AND SERVICE LEVELS

Service: Food Establishment Permitting

Through the Food Inspection Program, city staff ensures that all temporary, mobile and permanent food establishments are properly permitted.

Activity: Permanent & Mobile Food Establishment Permits

All permanent and mobile food establishment permits are issued for a period of one year and must be renewed annually prior to permit expiration. Approximately 460 mobile and permanent food establishments are currently permitted within the City of Sugar Land. Through the annual permit process, a renewal invoice is mailed to each establishment approximately one month prior to permit expiration. This task is accomplished through monthly coordination with the Treasury Department. Upon annual permit expiration, renewal permits are printed and distributed to the food establishments.

Activity: Temporary Food Establishment Permits

Temporary food establishments are permitted as they occur throughout the year and are issued for a period of time not to exceed 14 days. The number of temporary food establishments that are annually permitted may vary from year to year; however, with the addition of approximately 104 weekly farmers markets during the 2012 fiscal year, it is already evident that the number of annual temporary food establishments will exceed the 203 establishments permitted during the 2011 fiscal year. While the farmers markets have become year round events, the vendors may change on a weekly basis, and with this in mind, staff has had to treat the farmers markets as temporary events rather than annual food establishments. A similar situation may arise at Constellation Field if the concessionaire decides to allow

temporary vendors to provide food at the games. If these vendors are not providing food year round at the stadium and simply participate periodically, we will need to treat them as a temporary vendor as well.

The issuance of a temporary food establishment permit requires that the event coordinator and any participating vendors complete and submit applications to the City for review and processing. After receiving the applications, Food Inspection staff reviews the foodservice documentation to ensure the temporary food establishment operations comply with the applicable codes and ordinances. If any inconsistencies are identified within the application, staff contacts the vendor to clarify and correct the documentation. Applications must be submitted at least seven days prior to a temporary event, and during the permitting process, the Food Inspection staff communicates with the event coordinator to keep them apprised of the status of their temporary food establishment permit.

Service: Food Establishment Inspections

Inspections of temporary, mobile and permanent food establishments are conducted on a routine, emergency or complaint basis to ensure the establishments are in compliance with applicable codes and regulations. In an effort to increase program efficiency, the department is proposing to allow greater staff mobility through the use of field computers, as detailed within the Future Outlook.

Activity: Routine Inspections

As per city policy, all mobile and permanent food establishments should be inspected no less than twice per year, equating to approximately 900 routine inspections conducted annually. During these inspections, staff thoroughly reviews the foodservice operations within an establishment and identifies any violations of the Texas Food Establishment Rules (TFER) or city ordinance. Upon completion of the inspection, an inspection report is completed and reviewed with the establishment manager and/or owner. Both the Inspector and the owner/manager of the establishment must sign the report confirming the inspection findings and corrective action time frames. During a routine inspection, staff may identify the need to perform a re-inspection of the food establishment if corrective actions must be taken to comply with applicable codes and regulations. If a re-inspection is required, the date of the re-inspection is also identified within the inspection report. While the City has maintained this service level expectation for several years, in FY 12 staff identified that due to increases in demand, the Service Level was unable to be consistently met, and additional resources were identified as needed. With FY 13, the budgeting of an additional Sanitarian position will assist in meeting the key services levels.

Temporary food establishments are inspected on an as needed basis as determined by the Senior Sanitarian.

Activity: Complaint Inspections

Complaint investigations and inspections are conducted as complaints are received. Food Inspection staff responds to complaints within 24 to 48 hours, as determined by the nature of the complaint. The

inspection process involves communication with the complainant to obtain the relevant food-history information, an inspection of the food establishment and the issuance of an inspection report identifying any corrective action requirements. While the number of complaint inspections may vary annually, Food Inspection staff investigates approximately 50 –100 complaints each year.

Activity: Emergency Inspections

In the event of an emergency such as a fire or power outage, Food Inspection staff must be prepared to respond and is on call to respond to these situations. The Senior Sanitarian is the first point of contact for Dispatch in the event of an emergency that affects foodservice, and the Senior Sanitarian then coordinates with the Sanitarian to respond as necessary. Once a food establishment is clear for entry, an inspection must be conducted to determine whether or not foodservice operations can continue and the condition of the food at the establishment. Upon completion of the inspection, an inspection report is issued detailing the required corrective actions, the time frame for completion, and the status of foodservice operations at the establishment. If foodservice operations at the establishment are suspended until the corrective actions can be taken, a re-inspection will be completed prior to the commencement of operations. Depending upon the condition of the establishment and the type of corrective actions required, staff may perform multiple re-inspections.

Activity: Pre-Operational Inspections

Pre-Opening Inspection - Once construction plans are approved, a permit is issued and construction begins on a permanent food establishment. Pre-operational inspections must be conducted to ensure that the approved plans are implemented accurately and that the construction and installation meet the applicable codes and regulations. During the construction process, the Food Inspection staff will complete courtesy pre-operational inspections at the owners request prior to the pre-opening final inspection. After the pre-opening final inspection has been approved and the permit application has been processed, the food establishment will be issued an annual permit within 24 hours.

Ownership Change Inspection - Pre-operational inspections may also be conducted with the change in ownership at a food establishment. As previously indicated, Food Inspection staff will conduct courtesy pre-operational inspections during a change in ownership at the owner's request, and upon approval of the change of ownership final inspection and the receipt of the permit application, the food establishment will be issued an annual permit.

The number of pre-opening and ownership change inspections that are conducted on an annual basis varies; however, on average Food Inspection staff performs approximately 100 pre-operational inspections each year.

Service: Plan Review

When the construction or remodel of a food establishment occurs within the City, Food Inspection staff reviews the site plans to ensure compliance with applicable codes and ordinances. These plans are

reviewed within two weeks of the submittal date. Upon completion of the review, the Food Inspection staff will either clear the applicant for a construction permit or provide comments as to any plan modifications that are required prior to the issuance of a permit. If plan modifications are required, Food Inspection staff reviews any re-submittal documentation and continues the process as noted above. The number of plan submittals may vary annually; however, the Food Inspection staff reviews approximately 50 – 100 submittals each fiscal year.

SERVICE LEVEL EXPECTATIONS

Program: Food Inspection	
Service (Activity)	Service Level Expectation
Food Establishment Permitting	<i>Service Levels as Defined by Activities Below:</i>
<i>Permanent & Mobile Food Establishment Permits</i>	Permits issued prior to annual permit expiration or the opening of a new establishment*
<i>Temporary Food Establishment Permits</i>	Applications processed & permitted within seven days of receipt
Food Establishment Inspections	<i>Service Levels as Defined by Activities Below:</i>
<i>Routine Inspections</i>	Permanent & mobile food establishments inspected at least twice a year** Temporary food establishments inspected on an as needed basis as determined by the Senior Sanitarian
<i>Emergency Inspections</i>	Emergency calls responded back to Dispatch within one hour***
<i>Complaint Inspections</i>	Complaint inspections performed within 24 to 48 hours
<i>Pre-Operational Inspections</i>	Inspections completed within five business days of customer request
Plan Review (New Establishments & Remodels)	Plans reviewed within two weeks time frame

*Annual permanent & mobile food establishment permit renewals are coordinated through the Treasury Department. Establishments receive inspections twice a year, and these inspections do not directly correlate with the dates of permit renewal.

**Mobile food establishment inspections are performed and processed at City Hall.

***Emergency inspections are typically related to an emergency situation such as a fire, a storm or electricity availability.

PROGRAM SUMMARY

Through the Code Enforcement Program, city staff works to protect the health, safety and welfare of Sugar Land residents through the reasonable enforcement of the City's codes and ordinances. Code Enforcement works with multiple city departments in the enforcement of the Code of Ordinances, the Development Code and the International Property Maintenance Code (IPMC). By conducting both proactive and responsive code enforcement, we ensure that the homes and businesses throughout the City are well maintained and remain in compliance with applicable codes and ordinances.

The Code Enforcement Program operates to meet the City's goal of Livable Neighborhoods and is currently staffed with four (4) full-time employees, which includes two (2) Code Enforcement Inspectors with supervision by the Code Enforcement Official and a Senior Secretary. While the Senior Secretary is funded through this program, the position assists all programs within the Planning & Environmental Services Department.

The program operates Monday through Friday from 8 a.m. to 5 p.m. and for half a day on Saturday during which time sign removal is conducted. On a weekly basis, staff prioritizes tasks as follows: complaint investigation, violation follow-ups and city-wide patrols. At the present time, each of the Code Enforcement Inspectors is assigned a designated portion of the City with Highway 59 creating the coverage boundary. One inspector is responsible for the area north of Highway 59, while the second inspector is responsible for the area south of Highway 59. In an effort to increase program efficiency, the department is proposing to allow greater staff mobility through the use of field computers, as detailed within the Future Outlook.

In the preparation of the Department Business Plan in April of 2012, and projecting for FY 13, the Planning & Environmental Services Department identified that due to workload, the Code Enforcement Program was no longer able to meet Service Levels related to Proactive Code Enforcement. Reactive complaint-driven enforcement had taxed the resources of the program and only through additional staff resources would there be the ability to shore up complaint-driven issues, and move toward more proactive approaches. The Department was unable to obtain additional resources for the FY 13 Budget Year, and has had to adjust Service Levels to reflect this reality, which is not expected to change.

SERVICES AND SERVICE LEVELS

Service: Proactive Enforcement (Adjustment of Service Level due to Limited Resources)

Activity: Patrols

While there will continue to be patrols of the City Monday through Friday as time allows in order to identify and address code violations, these will not be able to be the primary mission. With this current

priority level, approximately 50 percent of the City's streets are patrolled by code enforcement staff each week. The most common violations include signs in the right-of-way, unpermitted work, unpermitted signs, high weeds and grass, junked motor vehicles, unhealthy conditions and substandard property conditions. Depending upon the identified violation, the procedure for addressing the violation may vary. The goal of the program is voluntary compliance, and Code Enforcement attempts to work with property owners to address any identified code violations. However, in some instances when the owner does not abate the violation, the City may issue an Intent to Prosecute with the Municipal Court or contract with a company to abate the violation and place a lien on the property.

Activity: Sign Removal

Sign removal from the public right-of-way is conducted Monday through Friday as time allows during the execution of the weekly priorities, as previously identified, and for half a day on Saturday during which time one (1) Code Enforcement Inspector is on-duty in order to solely address sign removal. Each Saturday, a Code Enforcement Inspector drives a designated route along the most highly traveled areas within the City to identify and remove stake signs, wind device signs, political signs, and temporary freestanding signs from the right-of-way. For signage removal, the arterial and collector streets are the primary focus within the City. The number of signs removed from the public right-of-way may vary annually; however, during the 2011 fiscal year, a total of 7,499 temporary signs were removed by Code Enforcement staff with 2,009 of those signs removed on Saturdays. During the first six months of the 2012 fiscal year, a total of 2,149 temporary signs have been removed with 752 of those signs removed on Saturdays. Sign removal as a proactive Code Enforcement element will be a challenge due to limited resources, but will be identified by complaint and by visual inspections as time allows.

Activity: Neighborhood Sweeps

A neighborhood inspection program is conducted by performing "house by house" inspections on each street until all homes in the neighborhood have been inspected. These inspections focus primarily on property maintenance issues such as rotted siding, broken windows, sanitation, etc. Notices of violation with designated corrective action deadlines are issued for any identified violations. This program is relatively new, and while the initial service level expectation was that a sweep of each neighborhood would be conducted every three years, the current Code Enforcement staffing levels will only allow this task to be completed every seven to nine years. Staff had performed neighborhood sweeps on a quarterly basis during which time approximately two neighborhoods are inspected. The FY 13 Service Level is anticipated to address one neighborhood for inspection, unless time allows for more. Depending upon the size of the neighborhood, the number of neighborhood sweeps conducted each quarter may increase or decrease.

Activity: Vacant Property Inspections/Database Management

With the changing economy, staff began maintaining a vacant properties database approximately two years ago to monitor vacant residential and commercial properties within the City and identify any

violations associated with the properties. This database focuses on vacant buildings rather than vacant land. The properties are identified through field inspections and are typically identified through code violations or information received from neighbors. Notices of violation with designated corrective action deadlines are issued for any identified violations. During the 2011 fiscal year, there were an average of 261 vacant homes and 203 vacant commercial buildings within the City. With the implementation and maintenance of the neighborhood sweeps and vacant properties databases, staff performs each of these assessments on a quarterly basis with one month of the quarter dedicated to vacant residential properties and another to vacant commercial properties. The realities of the lack of program resources means that this activity is not able to be a priority in FY 13. Staff will address this issue as resources allow.

Service: Responsive Enforcement

Activity: Investigation of Citizen Complaints

The code enforcement staff receives and investigates complaints on a daily basis. Complaints may originate from residents, businesses, Homeowner Associations (HOAs), property maintenance companies or internal city departments. The current service level is to investigate all complaints within one business day of receipt, and in most situations, staff must often perform follow-up tasks such as correspondence with the complainant, the individual/business in violation or with internal staff members that may be affected by the complaint. Notices of violation with designated corrective action deadlines are issued for any identified violations. During the 2011 fiscal year, Code Enforcement received 700 complaints, and to date, we have received a total of 336 complaints for the 2012 fiscal year. While not all complaints constitute a violation, all complaints must be investigated. Staff also uses the investigation process to educate the complainants and property owners about the City's codes and ordinances.

Activity: Departmental Assistance

Code Enforcement does not administer or enforce all sections of the Sugar Land Code of Ordinances or Development Code. Rather, individual departments are often responsible for the enforcement of codes within their area of expertise. While these departments are responsible for administering their portions of the code and working to obtain voluntary compliance, Code Enforcement will assist when voluntary compliance cannot be obtained. If necessary, notices of violation and citations are issued. Departmental assistance primarily comes at the request of another city department; however, the Planning & Environmental Services Department may at times receive calls regarding a violation that is enforced by another city department. In that situation, staff will direct the call to the appropriate department for enforcement.

Activity: Tree Trimming Investigation/Enforcement

Inspections and enforcement of tree trimming violations (obstructions of the street right-of-ways) are completed on a complaint basis. When Code Enforcement receives a tree trimming complaint, an inspector investigates the complaint, issues a notice of violation for any identified code violations and designates a due date for corrective actions. During the 2011 fiscal year, a total of 192 tree trimming violations were identified and addressed by Code Enforcement staff. In September of 2012, the Planning & Environmental Services Department was asked to further examine the state of enforcement of the tree trimming provisions of the Code of Ordinances for limbs obstructing the street right-of-ways in the City. The most recent examination of tree trimming complaints spanned a one-year time period totaled 217.

Service: Citation Administration

Code Enforcement is responsible for administering portions of the Sugar Land Code of Ordinances, the Development Code, and the International Property Maintenance Code. Through the implementation of the program, Code Enforcement staff attempts to obtain voluntary compliance when possible through the issuance of Notices of Violation and communication with the property owner; however, when voluntary compliance cannot be obtained, an Intent to Prosecute is filed with the Municipal Court. While each situation is different and code enforcement staff must sometimes make independent judgments regarding the issuance of citations, the normal procedure is to issue two Notices of Violation prior to the issuance of a citation through the Municipal Court. Through this process, Code Enforcement staff may be called to testify as to the violations identified, their interaction with the property owner, and the attempts to gain compliance. While the issuance of a citation is an option, relatively few citations are issued in comparison to the number of complaints received and violations identified. During the 2011 fiscal year, Code Enforcement filed 73 Intents to Prosecute with the Municipal Court.

SERVICE LEVEL EXPECTATIONS (ADJUSTED FOR FY 13)

Program: Code Enforcement	
Service (Activity)	Service Level Expectation
Proactive Enforcement	<i>Service Levels as Defined by Activities Below:</i>
<i>Patrols</i>	50% of the streets within the City patrolled at least once a week
<i>Sign Removal</i>	Sign removal conducted Monday through Saturday as time allows
<i>Neighborhood Sweeps</i>	Sweeps of at least one neighborhood each quarter
<i>Vacant Property Inspections/Database Mgmt</i>	Complete an inspection of vacant residential & commercial properties as time allows.
Responsive Enforcement	<i>Service Levels as Defined by Activities Below:</i>
<i>Investigation of Citizen Complaints</i>	100% of complaints investigated within 24 business hours
<i>Departmental Assistance</i>	Assistance provided as needed or as requested
<i>Tree Trimming Investigation/Enforcement</i>	100% of complaints investigated within 24 business hours
Citation Administration	Citations issued when unable to gain compliance

*On a weekly basis, staff prioritizes tasks as follows: complaint investigation, violation follow-ups and city-wide patrols.

**While each situation is different and Code Enforcement staff must periodically make independent judgments regarding the issuance of citations, the normal procedure is to issue two Notices of Violation prior to the issuance of a citation through the Municipal Court.

RENTAL REGISTRATION - 1644

PROGRAM SUMMARY

The Rental Registration Program is a proactive initiative to preserve and improve rental properties within the City. Through this program, the City ensures that the approximately 2,500 active rental properties within the City are conforming to the same property maintenance standards as owner-occupied homes and that the properties are safe for occupancy. This task is achieved through the annual inspection and licensing of single family and multi-family rental properties.

The Rental Registration Program operates to meet the City's goal of Livable Neighborhoods, and is currently staffed with two (2) full-time employees, which includes one (1) Code Enforcement Inspector with supervision by the Code Enforcement Coordinator. The program operates Monday through Friday from 8 a.m. to 5 p.m.

SERVICES AND SERVICE LEVELS

Service: Single Family Rental Registration

Activity: Application Administration & Renewal

All single family rental properties within the city limits must apply for and receive a rental registration license from the City through an application and inspection process. The properties must be licensed annually, and in order to ensure license renewal, annual renewal notices are mailed to each of the rental property owners 60 days in advance of the license expiration in order to notify them of the need to re-apply. Application and payment for new and renewal licenses are processed on a daily basis, and once an application is reviewed and processed, an inspection of the property is scheduled.

Through the application administration process, staff also identifies single-family rental properties that have not registered with the program. Rental properties that do not have a license are unable to receive new water service. With this requirement, the Rental Registration staff coordinates with the Treasury Department to identify and register those unlicensed properties. In addition, field inspections and online research are utilized to identify rental properties that are not registered with the program. A notice of violation is mailed to these property owners requiring that they register their rental property.

Activity: Inspections

Exterior Inspection – Upon application or the annual renewal of a license for the rental of a single-family property, the Rental Registration staff performs an exterior inspection of the property to determine and ensure that the property is not a public nuisance or substandard and that the property meets all zoning, health and safety requirements of the Code. The inspection is typically completed within seven business days of receipt of the application or renewal of a license, and if violations are identified during the inspection, a notice of violation with designated corrective action deadlines is issued. When violations

are identified during an inspection, a follow-up inspection is completed to ensure the correction of the violation.

Interior Inspection—The interior of a single family rental property is inspected if there is a change in occupancy, an inspector notes an exterior code violation that indicates a potential critical or life safety violation, or if requested by a tenant. The City requests that property owners inform staff of a change in occupancy in order to schedule and conduct an interior inspection; however, the structure of the program strictly relies upon the property owners for this notification. Interior inspections are scheduled with either the property owner or tenant, if the property is occupied, and the owner is notified of all tenant-requested inspections. If violations are identified during the inspection, a notice of violation with designated corrective action deadlines is issued. When violations are identified during an inspection, a follow-up inspection is completed to ensure the correction of the violation.

Activity: Licensing

Within 30 days of receiving a completed license application, a rental registration license will be issued or the property owner will be notified as to why the license cannot be issued. Licenses are either e-mailed or mailed to the property owner.

Service: Multi-Family Rental Registration

Activity: Application Administration & Renewal

All multi-family rental properties within the city limits must apply for and receive a rental registration license from the City through an application and inspection process. Properties included in this program include condos, duplexes, and apartment complexes. Once registered, these properties must be licensed annually, and in order to ensure license renewal, annual renewal notices are mailed to each of the rental property owners 60 days in advance of the license expiration in order to notify them of the need to re-apply. Application and payment for new and renewal licenses are processed on a daily basis, and once an application is reviewed and processed, an inspection of the property is scheduled.

Through the application administration process, staff also identifies multi-family rental properties that have not registered with the program. Rental properties that do not have a license are unable to receive new water service. With this requirement, the Rental Registration staff coordinates with the Treasury Department to identify and register those unlicensed properties. In addition, field inspections and online research are utilized to identify rental properties that are not registered with the program. A notice of violation is mailed to these property owners requiring that they register their rental property.

Activity: Inspections

Exterior Inspection – Upon application or the annual renewal of a license for the rental of a multi-family property, the Rental Registration staff performs an exterior inspection of the property to determine and ensure that the property is not a public nuisance or substandard and that the property meets all zoning,

health and safety requirements of the Code. The inspection is typically completed within seven business days of receipt of the application or renewal of a license, and if violations are identified during the inspection, a notice of violation with designated corrective action deadlines is issued. When violations are identified during an inspection, a follow-up inspection is completed to ensure the correction of the violation.

Interior Inspection – The interior of a multi-family rental property may be inspected if the dwelling unit is unoccupied on the date of the exterior inspection, an inspector notes an exterior code violation that indicates a potential critical or life safety violation, or if requested by a tenant. Interior inspections are scheduled with either the property owner or tenant, if the property is occupied, and the owner is notified of all tenant-requested inspections. For apartment complexes, the annual inspection includes an interior inspection of all vacant units, up to a maximum of five percent of the total number of units at the complex.

If violations are identified during the inspection, a notice of violation with designated corrective action deadlines is issued. When violations are identified during an inspection, a follow-up inspection is completed to ensure the correction of the violation.

Activity: Licensing

Within 30 days of receiving a completed license application, a rental registration license will be issued or the property owner will be notified as to why the license cannot be issued. Licenses are either e-mailed or mailed to the property owner.

Service: Citation Administration

The Rental Registration Program is responsible for administering portions of the Sugar Land Code of Ordinances, the Development Code, and the International Property Maintenance Code. Through the implementation of the program, Rental Registration staff attempts to obtain voluntary compliance where possible; however, when voluntary compliance cannot be obtained, an Intent to Prosecute is filed with the Municipal Court. Through this process, Rental Registration staff may be called to testify as to the violations identified, their interaction with the property owner, and the attempts to gain compliance. While the issuance of a citation is an option, relatively few citations are issued in comparison to the number of properties licensed with the program. Each situation is different and Rental Registration staff must sometimes make independent judgments regarding the issuance of citations, the normal procedure is to issue one Notice of Violation via regular mail and two Notices of Violation via certified mail prior to the issuance of a citation through the Municipal Court. During the 2011 fiscal year, the Rental Registration staff filed 18 Intents to Prosecute with the Municipal Court.

SERVICE LEVEL EXPECTATIONS

Program: Rental Registration	
Service (Activity)	Service Level Expectation
Single Family Rental Registration	<i>Service Levels as Defined by Activities Below:</i>
<i>Application Administration & Renewal</i>	Applications processed within 2 business days of receipt
<i>Inspections</i>	Inspections completed within 7 business days of receipt of application
<i>Licensing</i>	Renewal notices mailed out 60 days prior to license expiration; approved licenses issued within 30 days
Multi-Family Rental Registration	<i>Service Levels as Defined by Activities Below:</i>
<i>Application Administration & Renewal</i>	Applications processed within 2 business days of receipt
<i>Inspections</i>	Inspections completed within 7 business days of receipt of application
<i>Licensing</i>	Renewal notices mailed out 60 days prior to license expiration; approved licenses issued within 30 days
Citation Administration	Intent to Prosecute filed with Municipal Court when unable to gain compliance*

*Each situation is different and Rental Registration staff must sometimes make independent judgments regarding the issuance of citations, the normal procedure is to issue one Notice of Violation via regular mail and two Notices of Violation via certified mail prior to the issuance of a citation through the Municipal Court.